



**Vermont Department of Environmental Conservation
Waste Management and Prevention Division**

One National Life Drive - Davis 1 [phone] 802-828-1138

Montpelier, VT 05620-3521

www.dec.vermont.gov/waste-management

Agency of Natural Resources

September 29, 2022

Mr. Robert Cianciarulo,
Chief Remediation 1 Branch
US EPA Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3919

**RE: SUPPORT FOR A NON-TIME CRITICAL REMOVAL ACTION AT THE PIKE HILL
COPPER MINE SUPERFUND SITE, CORINTH, VERMONT (VT SITE #1977-0191).**

Dear Mr. Cianciarulo:

The Vermont Department of Environmental Conservation (VT DEC) has reviewed the US Environmental Protection Agency (EPA) Action Memorandum for approval and funding of Non-Time Critical Removal Action (NTCRA) at the Pike Hill Copper Mine Superfund Site ("Site"), Corinth, Vermont. This NTCRA is being performed under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. §§ 9601 et seq. Given the overall cleanup costs including removal actions, no viable responsible party, and lack of state resources, the State of Vermont supports managing this site through the NTCRA process. We are grateful for the EPA's continued attention to this project to meet our shared goals of protecting human health and the environment.

We understand that the objective of the NTCRA is to control the primary sources of contaminated mining influenced water (MIW). Two removal action alternatives were evaluated in the Engineering Evaluation/Cost Evaluation (Nobis, July 27, 2022). Alternative 2, included off-site disposal of mine waste, and was rejected due to risks associated with off-site haulage and the higher overall cost.

The EPA Action Memo, summarizes the selected NTCRA Alternative 1, which includes:

- On-Site Consolidation and Capping of mine waste, and
- In-Situ Stabilization of mine waste around historic resources and sensitive bat habitat.

The intention of these actions is to significantly improve the water quality of Pike Hill Brook and the impacted portions of Cookville Brook Tributary #4. We have previously worked with the EPA to develop, review, and agree upon the NTCRA-specific Applicable or Relevant Appropriate Requirements (ARARs) which are attached to the Action Memo. VT DEC agrees with this NTCRA approach outlined in the EPA Action Memo and supports development of the NTCRA detailed design.

VT DEC understands that by participating in this NTCRA, the State of Vermont will be responsible for Post-Removal Site Control (PRSC) until the selected final remedial action is implemented i.e., the actions necessary to ensure the effectiveness and integrity of the removal action. The PRSC will include inspection and maintenance of the engineered waste cell cover system and other engineered features.

At this time, the PRSC costs have not been sanctioned by the Vermont Legislature. The VT DEC is committed to work diligently with the Legislature to establish the required level and system of funding to meet the PRSC obligations. VT DEC also understands that a Memorandum of Agreement (MOA) must be signed between the State and EPA outlining the responsibilities of both parties concerning the NTCRA.

VT DEC will cooperate with the EPA, providing timely input and review, during the NTCRA design. In return, VT DEC trusts EPA will:

- Demonstrate through performance monitoring that the removal actions, including the engineered waste cell cover system and other engineered features installed as part of the NTCRA can achieve the design requirements, consistent with the ARARs
- Ensure that the NTCRA design addresses the concerns raised by the local community during the public comment period and will focus on design factors that reduce off-site truck traffic to mitigate safety and nuisance hazards to residents during construction.
- Continue to work with the community and VT DEC to reduce operational and financial impacts to residents during NTCRA implementation.

VT DEC considers the proposed NTCRA to be a significant and important opportunity to control the primary sources of MIW and restore Pike Hill Brook and Cookville Brook at a manageable cost to the State of Vermont. Thank you for your continued work and diligent efforts to address the legacy of mining related contamination at Pike Hill Copper Mine in Vermont. Please don't hesitate to contact me should you have any questions.

Sincerely,



Matthew A. Chapman, Director
Waste Management and Prevention Division
Department of Environmental Conservation

cc: Corinth, Select Board
Edward Hathaway, EPA Remedial Project Manager
Patricia Coppolino, WMPD SMS Senior Program Manager
Graham Bradley, WMPD SMS Sites Manager